

REMARKS

This Amendment is filed in response to the Office Action mailed on March 27, 2006 and in connection with the interview on June 13, 2006. All objections and rejections are respectfully traversed and reconsideration is respectfully requested.

Claims 1, 3-8, 10-11, 13-15, 17-20 are currently cancelled.

Claims 21 to 25 are currently pending.

Applicant gratefully acknowledges the telephone conference with the Examiner on June 13, 2006, in which the merits of the Office Action and prior art was discussed.

Claim Rejections- 35 USC §102

At paragraphs 2 and 3 of the Office Action, claims 1, 3-7, 10-11, 13-15 and 17-20 were rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by Seamon, U.S. Application No. 2002/0121322 dated September 5, 2002 (hereinafter Seamon).

Seamon does not anticipate the claimed invention because Seamon does not teach each and every element of the claim as required by §102(b).

In particular, claim 1 of Applicant's claimed invention recites:

"each side edge having a recess taper to partially reveal whether at least a single document is held within the pocket while the flap is tensioned against the exterior surface"

In further detail, Applicant's invention claims a recess taper in both of the side edges to reveal documents within the pocket when the flap is tensioned against the exterior cover. In sharp contrast, Seamon shows in Fig. 1, an indent from the outer seam of

the pocket on the purse, where the indent is used for installing a zipper to close the pocket. There is no disclosure or suggestion that the indent in Seamon is to reveal the document's within because Seamon's pocket is for attaching an accessory compartment which includes a wallet, cell phone holder, makeup, etc. Accordingly, there is no disclosure nor suggestion in Seamon of designing a pocket with a recess taper for revealing papers within, as claimed by Applicant.

Furthermore in Applicant's claim 1, Applicant claims:

a pair of elastic strips connected between each side edge and the exterior surface, the elastic strips generating tension and being constructed and arranged to maintain a holding friction against the documents, and the front edge and the two side edges being unattached to the cover except by the pair of elastic strips while a region in which documents may be viewed is visible along the side edges remote from the straps

In further detail, Applicant's claimed invention configures the elastic strips to generate tension between the flap and the exterior cover to hold the documents within the pocket. There is no disclosure in Seamon of using elastic strips because there is no mention of elastic in Seamon. Additionally, the straps disclosed in Seamon are used to hold back the surface of the pouch from full extension. There is no suggestion of generating tension by the straps in Seamon because they are only limiting the surface of the pouch from extending more than 90 degrees. In contrast, Applicant's invention uses the elastic strips to keep the flap adjacent to the padfolio and only expand outward as more documents are placed within the pocket. Accordingly, there is no disclosure or suggestion in Seamon of Applicant's claimed elastic strips to generate tension to hold the documents within the pocket. Rather Seamon's limiting feature can be accomplished via non-elastic

straps. In view of this, it is only by way of improper hindsight that one can impose this significant functional limitation in Seamon to thereby anticipate or make obvious the claims as presented.

Accordingly claim 21, is allowable over Seamon for the reasons stated above. Additionally, claim 22 recites similar features as claim 21 and should be allowable, specifically *a taper and a pair of elastic strips*.

In addition, claim 22 further recites:

*“an outer perimeter edge stitched on the exterior cover in an approximately rectangular shape with one side adjacent to the base edge and the approximately rectangular shape being slightly larger than the flap; and
the two side edges being unattached except by a pair of elastic strips attached between plies of the flap and the outer perimeter edge, and the two side edges including a taper defined as a gap between the outer perimeter edge and the side edge being wider at the base edge and narrower at the front edge, the taper partially revealing at least a single document within the pocket when the flap is tensioned against the exterior cover by the elastic straps.”*

In further detail, Applicant's claimed invention recites a taper as a gap between the outer perimeter edge and the side edge. There is no disclosure or suggestion of an outer perimeter stitched on the exterior cover. Seamon, in fact, by disclosing a zipper closure suggests a direct overlap of the flap and outside bag surface without any “gap” of a form as defined by Applicant in its specification. Furthermore, there is no disclosure or suggestion in Seamon of a taper being defined as a gap between the outer perimeter edge and the side edge because Seamon only shows an indent for use with a zipper.

Accordingly, independent claims 21 and 22 are allowable over Seamon and other art of record. Dependent claims 23 to 25 are also allowable as depending upon allowable base claim 22.

In the event that the Examiner deems personal contact desirable in disposition of this case, the Examiner is encouraged to call the undersigned attorney at: (617) 951-2500.

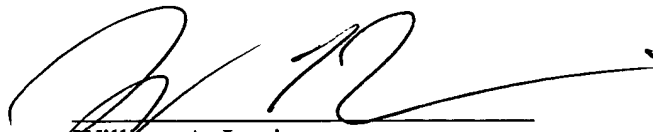
All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Loginov', written over a horizontal line.

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